

REMARKS/ARGUMENTS

Favorable reconsideration and allowance of the present patent application are respectfully requested in view of the foregoing amendments and the following remarks. Claims 1-4, 6-10, 12-16, 18-22, and 24-50 are pending in the application.

Dependent Claim 50

Claim 50, added in the Amendment filed October 9, 2009, does not appear to have been examined as it is not mentioned anywhere in the present Office Action. If claim 50 has been determined to contain allowable subject matter, Applicant respectfully requests an explicit indication of such allowability. Otherwise, Applicant respectfully requests that a detailed explanation of any rejection pertaining to claim 50 in a subsequent non-final Office Action, should such an Office Action be required.

35 U.S.C. § 103 Rejections

Claims 1-4, 6-10, 12-16, 18-22, and 24-44, 46, and 48-49 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hall et al. (U.S. Patent No. 6,032,051) in view of Eaton et al. (U.S. Patent Publication No. 2003/0208545), Leppanen et al. (U.S. Patent Publication No. 2005/0262198), and Keating et al. (U.S. Patent Publication No. 2004/0082352). Claim 45 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hall in view of Eaton, Leppanen, and Keating, and in further view of U.S. Patent Publication No. 2003/0037103 to Salmi et al. (hereinafter “Salmi”). Claim 47 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hall in view of Eaton, Leppanen, and Keating, and in further view of U.S. Patent Publication No. 2004/0267887 to Berger et al. (hereinafter “Berger”). Applicant respectfully traverses these rejections, as detailed below.

The Examiner has introduced a new reference, Leppanen, as teaching the claimed feature “transmitting an alert from the GCS to the target,” as recited in claim 1, for example. The Examiner has cited paragraph [0027], lines 6-11 and paragraph [0028], lines 1-6 of Leppanen in support of this position.

In the cited sections, Leppanen discusses the communication system shown in FIG. 2, including a watcher 10, a presence list server 12, and several presentities 14. Specifically, Leppanen teaches that “the presence list server sends out requests to the presentities for presence information in a SUBSCRIBE message.” (Paragraph [0027], lines 9-11.) However, the

“presentities” to which the presence list server sends the requests is merely a short hand designation for a group of several different physical entities. As explained in paragraph [0023], “A ‘presentity’¹⁴ can be regarded as being a user and a presence server associated with that user. A presence server stores presence information for the users which are associated with that presence server.”

The important point for the present discussion is that when Leppanen says “the presence list server sends out requests to the presentities for presence information,” it means that the presence list server sends out requests to the presence servers associated with the target users, not to the target users themselves. This is made clear in paragraph [0028], in the few lines immediately following the text cited by the Office Action: “In either case [i.e., a filtered or unfiltered request], the presence server which stores presence information for the respective user will provide the required presence information to the presence list server. The presence list server thus will have the required part of the presence information which is then forwarded to the watcher.”

Accordingly, Leppanen merely teaches that a presence list server sends a request to a presence server associated with a targeted user, not to the target user itself. Leppanen therefore does not teach “transmitting an alert from the GCS to the target [about which presence information is requested]” as claimed.

Thus, Leppanen fails to teach or suggest the features relied upon with respect to the rejection of independent claim 1. The remaining references Hall, Eaton, and Keating fail to cure this deficiency of Leppanen, and independent claim 1 is allowable over the combination of Hall, Eaton, Leppanen, and Keating.

The remaining independent claims 7, 13, 19, 25, 30, 35, and 40 recite related subject matter to independent claim 1 discussed above. Therefore, for at least the foregoing reasons, it is respectfully submitted that claims 1, 7, 13, 19, 25, 30, 35, and 40 are distinguishable over the applied art. The remaining dependent claims are allowable at least by virtue of their dependency on the above-identified independent claims. *See MPEP § 2143.01.* Moreover, these claims recite additional subject matter, which is not suggested by the documents taken either alone or in combination.

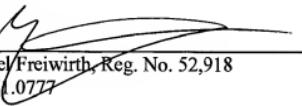
CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: 2010-03-25

By: 
Raphael Freiwirth, Reg. No. 52,918
858.651.0777

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-2426
Facsimile: (858) 658-2502